

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Charlottesville Division**

JASON KESSLER

and

DAVID MATTHEW PARROTT,

Plaintiff,

v.

Civil Action No. **3:19-CV-00044**

CITY OF CHARLOTTESVILLE,
TARRON J. RICHARDSON, in his
official capacity, AL S. THOMAS in his
individual capacity, BECKY CRANNIS-CURL
in her individual capacity, MAURICE JONES
in his individual capacity,

Defendants.

MOTION TO DISMISS

Comes now City of Charlottesville and moves the Court pursuant to Rule 12(b)(6) F.R.C.P. to dismiss Plaintiff's Complaint filed against it, with prejudice, on the grounds that the Complaint fails to state a claim upon which relief can be granted and fails to allege facts sufficient to establish a legally cognizable cause of action against it.

A brief in support of this Motion is filed this date and is incorporated herein.

CITY OF CHARLOTTESVILLE
By Counsel

s/Richard H. Milnor
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CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of October, 2019, I electronically filed the foregoing Motion to Dismiss with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

s/Richard H. Milnor